

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cv386

CHERYL D, DOSS,)	
Plaintiff,)	
)	
vs.)	
)	<u>ORDER</u>
HARTFORD LIFE INSURANCE)	
COMPANY,)	
Defendant.)	
_____)	

On December 21, 2005, the magistrate judge issued a Memorandum and Recommendation (Doc. No. 17) in the present case recommending that Defendant's "Motion to Dismiss Plaintiff's Second Claim for Relief" (Doc No. 12) be granted and Plaintiff's breach of fiduciary claim be dismissed with prejudice. The parties were advised that objections were to be filed in writing within ten days after service of the magistrate judge's decision. The deadline for filing objections has since passed, and neither party has filed objections in this matter. After a careful review of the Memorandum and Recommendation, the Court finds that the magistrate judge's proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the magistrate judge's recommendations.

THEREFORE, IT IS HEREBY ORDERED that the Defendant's "Motion to Dismiss Plaintiff's Second Claim for Relief" is granted and Plaintiff's breach of fiduciary claim is **DISMISSED WITH PREJUDICE.**

Signed: March 12, 2006

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

